



Grizzly Aspen

DECISION MEMO

Grizzly Aspen

U.S. Forest Service

Walla Walla Ranger District, Umatilla National Forest

Wallowa County, Oregon

This decision incorporates all information in this document and included in the project file.

DECISION & RATIONALE

I have decided to authorize the activities described in the Proposal section, to include any modifications identified during environmental analysis and review of regulatory compliance.

APPLICABLE CATEGORICAL EXCLUSION & FINDINGS REQUIRED BY OTHER LAWS

The Proposal Information section provides rationale for categorically excluding this action from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) and for using the identified category/categories. The Environmental Analysis Review section documents rationale to support my finding that no extraordinary circumstances exist, along with findings required by other applicable laws and regulations to demonstrate compliance with the regulatory framework for the activities authorized by this decision.

AGENCIES, ORGANIZATIONS & PERSONS CONTACTED

A list of agencies, organizations and/or persons contacted regarding this proposal is provided, along with a brief overview of comments/feedback received and how they were considered.

IMPLEMENTATION DATE

I intend to implement this decision beginning in May of 2020 with activities continuing in subsequent years based on funding and personnel availability .

ADMINISTRATIVE REVIEW

Decisions that are categorically excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) are not subject to an administrative review process (Agriculture Act of 2014 [Pub. L. No. 113-79], Subtitle A, Sec. 8006).

CONTACT

For additional information concerning this decision, contact:

Terry Reynolds, Wildlife Biologist, 1415 W. Rose St, Walla Walla, WA, 99362, 509-522-6071

4/23/2020

MICHAEL L. RASSBACH

District Ranger



Grizzly Aspen

CATEGORICAL EXCLUSION REVIEW

PROPOSAL INFORMATION

Proposal Name: Grizzly Aspen

Proposal Date: 3/2/2020

Proponent Name: Terry Reynolds

Line Officer: Michael Rassbach

District: Walla Walla

County(ies): Wallowa

Anticipated Implementation: 05/2020

Signing Authority: District Ranger

PALS Tracking #: 57716

Project File:

<https://usfs.box.com/s/eniyqgevy8710p61d0oo7wuwlcqinlw>

GIS Info:

T:\FS\NFS\Umatilla\Project\wwCE2020\GIS\LayerFile\Grizzly Aspen

General Location: 5 Miles West of Troy, Oregon

Applicable Management Areas: C4 Wildlife

Legal Description: T 5N R 42E, T 6N R 42E

Elevation Range: 3200'-3700'

Watersheds: Wenaha River

APPLICABLE CATEGORY/IES

This proposal is categorically excluded from documentation in an EA or EIS because it fits the following category/categories, pending extraordinary circumstance determinations:

Applicable Categories: 36 CFR 220.6(e)(5), 36 CFR 220.6(e)(6) (DM Required)

These categories are applicable for this project because the objective and proposed actions are consistent with "Regeneration of an area to native tree species, including site preparation that does not involve the use of herbicides or result in vegetation type conversion." and "Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction."



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PROPOSAL

This project proposes the protection of aspen regeneration at six stands within the perimeter of the 2015 Grizzly Bear Complex fire. Fire killed the majority of the overstory trees, but significant sprouting and development of saplings occurred during 2016-2018.

Annual monitoring of these sites indicates that the aspen regrowth is being detrimentally impacted by livestock and wildlife browsing and that without action the stands are unlikely to develop mature trees and the stands may be lost indefinitely.

Walla Walla District staff along with Rocky Mountain Elk Foundation volunteers would construct temporary animal exclusion barriers using primarily on-site dead brush and trees. Material will be piled strategically to limit access and damage to aspen saplings. Some wood poles, metal panels or posts may be used to supplement the exclusion. Some of the sites are near former young pine "plantations" that suffered complete mortality and will provide material approximately 8 inches in diameter by 15 feet long for use in constructing the barrier fencing. Exclusions may range in size from 1/100th to 1/10th of an acre in size. These exclusions are intended to protect the aspen for 3-5 years during which time they can grow to a height and diameter that is less vulnerable to browse damage. The barrier material will eventually be removed or naturally degrade over time and result in a natural appearance.

45°57'3.99"N 117°33'55.76"W

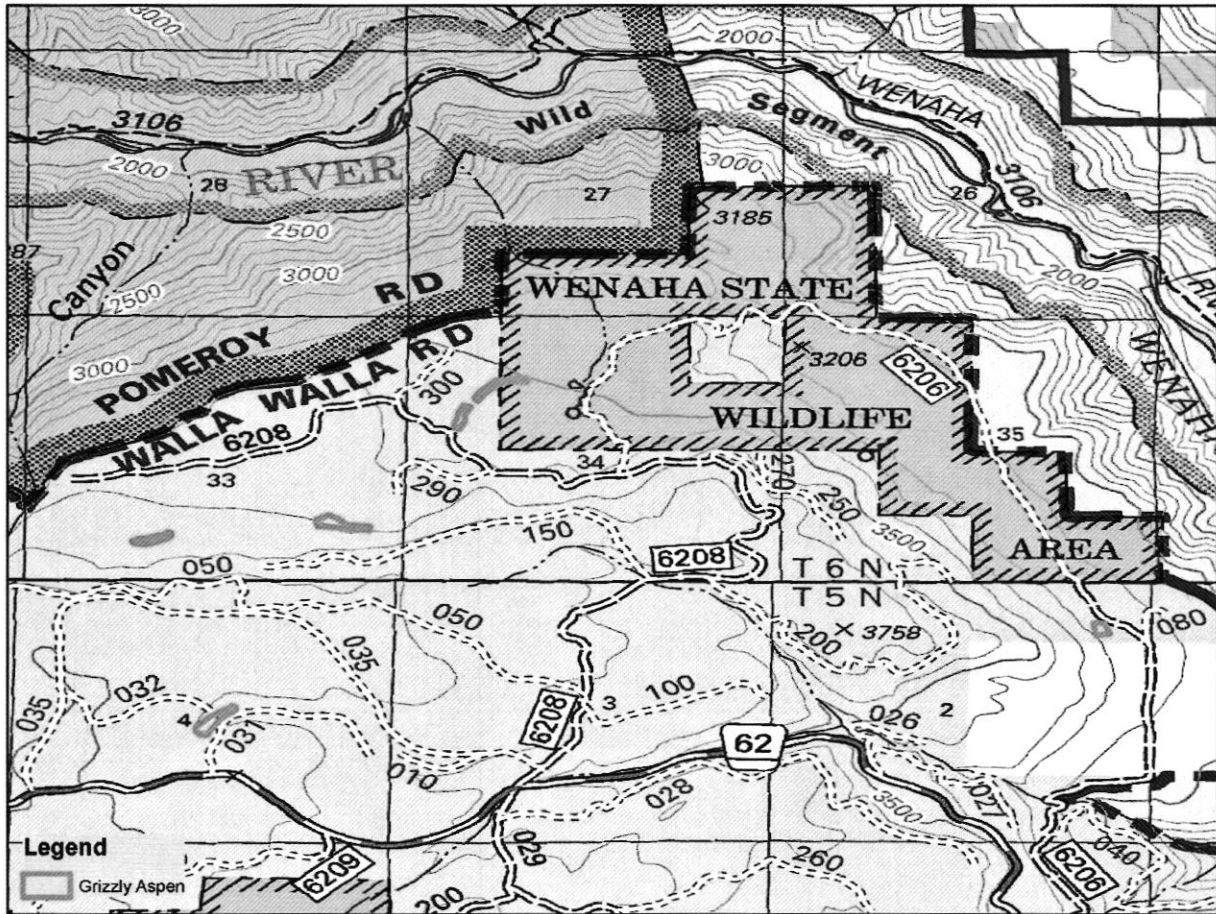
6208-6206 Rd.

Wallowa County, OR

See map and shapefile.

MAP

Grizzly Aspen 2020





PROPOSAL SCREENING

REGULATORY CONSIDERATIONS

Given the nature of the proposal, the Responsible Official is requesting documentation to demonstrate compliance with the following regulatory considerations in addition to NEPA:

☒ **NFMA/Land Management Plan**

Special Management Areas:

☒ **ESA**

☐ **Wilderness**

☒ **Sensitive Species (FSM 2670)**

☐ **Roadless**

☒ **NHPA**

☐ **Wild & Scenic River Corridor**

☒ **Tribal Consultation**

☐ **Recommended Wilderness**

☐ **CAA**

☐ **Research Natural Areas**

☒ **CWA**

☐ **National Scenic & Historic Trails**

☒ **Pertinent Executive Orders**

☐ **National Recreation Areas**

AGENCIES, ORGANIZATIONS & PERSONS TO BE CONTACTED

Given the nature of the proposal, the Line Officer/Responsible Official is requesting the following agencies, organizations and/or persons be contacted to provide input to, or to be made aware of, the proposal. A brief overview of feedback or comments provided is included.

Oregon Dept. of Fish and Wildlife: Phone conversation & e-mail to Pat Mathews, ODFW District Wildlife Biologist. Supportive of project and long-term benefits to wildlife species.

Rocky Mountain Elk Foundation: E-mail correspondence with Tim Campbell, RMEF Pendleton Chapter Volunteer Coordinator. This project aligns with RMEF mission of wildlife habitat improvement and they are supportive of the project and interested in volunteering during the on the ground implementation phase.



RESOURCE PARTICIPATION IN ENVIRONMENTAL ANALYSIS REVIEW

The Line Officer/Responsible Official has requested the following resource areas to review the proposal to determine compliance with the regulatory considerations.

Table 1: Documentation of Review Completion

Resource	Review Complete
Botany	4/13/2020 Paula Brooks
Cultural/Heritage	2/27/2020 William Marquardt
Fisheries	2/27/2020 Bill Dowdy
Hydro	2/27/2020 Zigmund Napkora
Range	2/27/2020 Angela Druffel
Soils	3/3/2020 Zigmund Napkora
Silviculture	2/27/2020 Jack Comish
Wildlife	2/27/2020 Terry Reynolds

**ENVIRONMENTAL ANALYSIS REVIEW****NATIONAL FOREST MANAGEMENT ACT (NFMA) – LAND MANAGEMENT PLAN CONSISTENCY**

The pertinent specialist has reviewed the proposal and made the following determinations regarding proposal consistency with applicable Land Management Plan direction, standards and guidelines.

Botany: Consistent

Range: Consistent

Cultural/Heritage: Consistent

Recreation: N/A

Engineering: N/A

Scenic Resources: N/A

Fisheries: Consistent

Soils: Consistent

Fuels: N/A

Silviculture: Consistent

Hydro: Consistent

Special Management Areas: N/A

Lands/Special Uses: N/A

Wildlife: Consistent

Minerals: N/A

ENDANGERED SPECIES ACT**THREATENED, ENDANGERED, PROPOSED AND CANDIDATE SPECIES &/OR CRITICAL HABITAT**

The pertinent specialists reviewed the proposal and made the following determinations for threatened, endangered and/or proposed species:

Wildlife: There are no Threatened, Endangered, Proposed, or Candidate Species or Critical Habitat present therefore this project will have No Effect to any ESA wildlife species.

Fish: There are no Threatened, Endangered, Proposed, or Candidate Species or Critical Habitat present and this project will have No Effect to any ESA fish species.

Botany: There are no Threatened, Endangered, Proposed, or Candidate Species or Critical Habitat present and this project will have No Effect to any ESA plant species.

SENSITIVE SPECIES (FSM 2670)

The pertinent specialists reviewed the proposal and made the following determinations for sensitive species:

Wildlife: The Grizzly Aspen project will have No Impact to Sensitive wildlife or invertebrate species.

Fish: The Grizzly Aspen project will have No Impact to Sensitive fish/aquatic species.

Botany: None present. The Grizzly Aspen project will have No Impact to Sensitive plant species.

SUPPORTING PROJECT DOCUMENTATION

Table 2: Applicable Project File Documentation to Support Agency Sensitive Species Compliance

Documentation Type	File Name (if applicable/needed)
Umatilla NF Environmental Screening Form	ESF Fish, Wildlife, Botany. See project record.



NATIONAL HISTORIC PRESERVATION ACT (NHPA) – SECTION 106 REVIEW

The pertinent specialist has reviewed the proposal and made the following determination regarding Section 106 compliance:

No potential to cause effects - 36 CFR 800.3(a)(1). The proposal is a type of activity that does not have the potential to cause effects on any kind of prehistoric or historic resource, even if such resources were in the project area.

SUPPORTING PROJECT DOCUMENTATION

Table 3: Applicable Project File Documentation to Support NHPA Compliance

Documentation Type	File Name (if applicable/needed)
Programmatic Review for Heritage Resources	R2020061400015_1 Grizzly Aspen Heritage

TRIBAL CONSULTATION

Based on the nature of the proposal, the line officer/responsible official made the following determination regarding Tribal Consultation:

Consultation with American Indian Tribes has been completed.

SUPPORTING PROJECT DOCUMENTATION

Table 4: Applicable Project File Documentation to Support Tribal Consultation Compliance

Documentation Type	File Name(s)
Programmatic Review for Heritage Resources	R2020061400015_1 Grizzly Aspen Heritage
Tribal Program of Work	

CLEAN WATER ACT (CWA)

The pertinent specialist has reviewed the proposal and made the following determination:

Compliant with Clean Water Act. See attached design criteria.

SUPPORTING PROJECT DOCUMENTATION

Table 5: Applicable Project File Documentation to Support CWA Compliance

Documentation Type	File Name(s)
Umatilla NF Environmental Screening Form	Grizzly Aspen ESF-Hydro

PERTINENT EXECUTIVE ORDERS

The line officer and/or applicable specialist(s) have determined the proposal is in compliance with the following Executive Orders (EO), which were deemed pertinent based on the nature of the proposal.

- EO 11988, Floodplain Management
- EO 11990, Protection of Wetlands
- EO 12898, Environmental Justice
- EO 13007, Indian Sacred Sites
- EO 13112, Invasive Species
- EO 13175, Consultation & Coordination w/ Indian Tribal Governments
- EO 13186, Migratory Birds
- EO 13443, Facilitation of Hunting Heritage & Wildlife Conservation

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

Pertinent specialists have reviewed the proposal and made the following determinations with regards to degree of potential effects for the resource conditions considered:

Table 6: Resource Conditions Considered for Extraordinary Circumstance Determinations

Resources Conditions Considered for Extraordinary Circumstances	Is there a degree of potential effect that raises uncertainty over its significance? Briefly explain. ¹
Federally listed threatened or endangered species, Designated critical habitat, Forest Service sensitive species	BOTANY: N/A, not present FISHERIES: N/A, not present WILDLIFE: NO, there is no uncertainty Rationale for Yes/No: The project activity is of a nature and scale that has no potential to impact the sensitive species that may be present.
Floodplains, wetlands or municipal watersheds	NO, there is no uncertainty Rationale for Yes/No: Scope and scale of project along with included design elements ensure that effects will be immeasurable or negligible.
Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas	N/A, not present
Inventoried roadless areas	N/A, not present
Research natural areas	N/A, not present

¹Be sure to provide resource context for rationale discussions. Is there something unique to this proposal or existing resource conditions that would lead to greater intensity of effects than would typically be anticipated for similar actions?



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American Indians and Alaska Native religious or cultural sites	N/A, not present
Archaeological sites, or historic properties or areas	<p>NO, there is no uncertainty</p> <p>Rationale for Yes/No: No potential to cause effects - 36 CFR 800.3(a)(1). The proposal is a type of activity that does not have the potential to cause effects on any kind of prehistoric or historic resource, even if such resources were in the project area.</p>

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